

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER JOHN MAYNE,

Defendant.

No. 13-CR-1017-LRR

**ORDER**

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The matter before the court is United States Magistrate Judge Jon S. Scoles's Report and Recommendation (docket no. 28), which recommends that the court grant in part and deny in part Defendant Christopher John Mayne's "Motion to Suppress" ("Motion") (docket no. 21).

On October 28, 2013, Defendant filed the Motion, which requests that the court suppress all evidence obtained as a result of searches conducted at Defendant's residence on December 4, 2012, December 10, 2012 and December 19, 2012. On November 4, 2013, the government filed a Resistance (docket no. 23). On November 6, 2013, Judge Scoles held a hearing on the Motion. *See* Minute Entry (docket no. 24). Defendant appeared in court with his attorney, John Bishop. Special Assistant United States Attorney Lisa Williams represented the government. On November 7, 2013, the government filed a Supplement to the Resistance (docket no. 27). On November 15, 2013, Judge Scoles issued the Report and Recommendation, which recommends that the court grant the Motion in part and deny the Motion in part. The Report and Recommendation states that, "within fourteen (14) days after being served with a copy of this Report and Recommendation, any party may serve and file written objections with the district court." Report and Recommendation at 26.

The time to object to the Report and Recommendation has expired and neither party has filed any objections. The parties have thus waived their right to a de novo review of the Report and Recommendation. *See, e.g., United States v. Newton*, 259 F.3d 964, 966 (8th Cir. 2001) (“Appellant’s failure to file any objections waived his right to de novo review by the district court of any portion of the report and recommendation of the magistrate judge as well as his right to appeal from the findings of fact contained therein.” (quoting *Griffini v. Mitchell*, 31 F.3d 690, 692 (8th Cir. 1994))). The court finds no plain error in Judge Scoles’s decision. Accordingly, the court **ADOPTS** the Report and Recommendation (docket no. 28). The Motion (docket no. 21) is **GRANTED IN PART** and **DENIED IN PART**.

**IT IS SO ORDERED.**

**DATED** this 9th day of December, 2013.



LINDA R. READE  
CHIEF JUDGE, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF IOWA